

COMMITTEE AMENDMENT FORM

DATE: 02/28/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #06-O-2314 SECTION (S)



RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION, A SITE
PLAN RECEIVED BY YHE BUREAU OF PLANNING 05/22/06.

AMENDMENT DONE BY COUNCIL STAFF 02/28/07

Conditions for U-06-27 for 1150 Philadelphia Street, S.W.

1. Site plan similar to the site plan submitted to the Bureau of Planning on 1/10/07 titled "Philadelphia Baptist Church" dated 5/22/06.

REVISIONS NO. DATE 1 MAY 22, 2008 DRAWN BY: JLB CHECKED BY: JLB 2008 SCALE: AS SHOWN			CONSULTANTS  M MAYER HERR ENTERPRISE ENGINEERS ARCHITECTS 815 PINE AVE ATLANTA, GEORGIA 30310 (404) 525-9222 (F) 404-525-9022	PROJECT DESCRIPTION PHILADELPHIA BAPTIST CHURCH LAND LOT 167 15TH DISTRICT FULTON COUNTY, GEORGIA	DESCRIPTION	SHEET NUMBER
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U-06-29

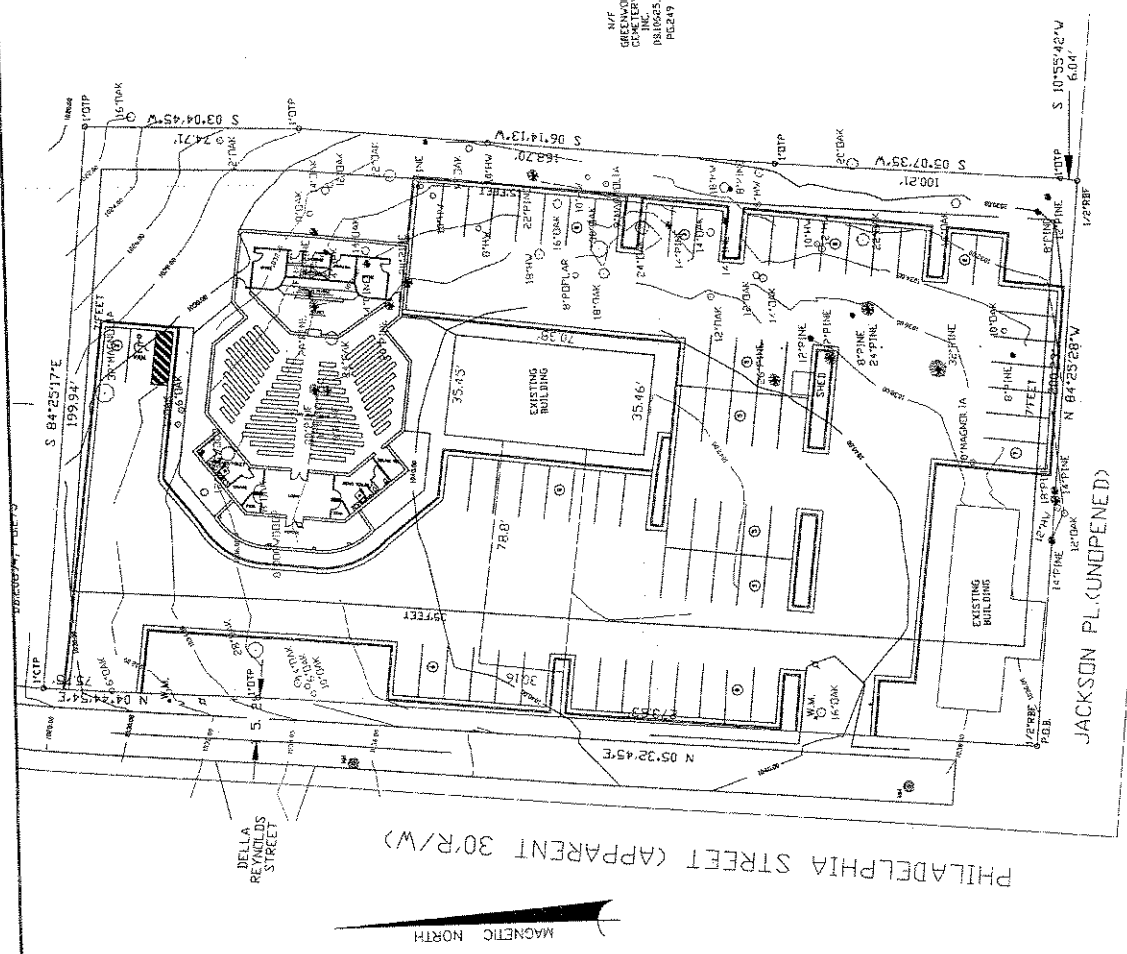
THIER ARE 72 PARKING SPACES

U-06-27

RECORDED
JUL 15 2008
BOOK 15
PAGE 1000

REKED

NAT
GREENWOOD
CEMETERY,
PARCELS
831625,
831626,
831627



City Council
Atlanta, Georgia

06-0-2314

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-27

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of (Section 16-06.005 (1) (c)), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Church is hereby approved. Said use is granted to PHILADELPHIA BAPTIST CHURCH and is to be located at **1150 Philadelphia Avenue, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot: 183, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in land lot 183, 14th district, Fulton County, Georgia and being more particularly described as follows:

Beginning at a 1/2" rebar found at the intersection of the easterly right-of-way of Philadelphia Street with the northerly right-of-way of Jackson Place (unopened), from thus established point and continuing along the easterly right-of-way of Philadelphia Street;

THENCE North 03 degrees 32 minutes 45 seconds East for a distance of 273.83 feet to a 1" open top pipe;

THENCE North 04 degrees 44 minutes 54 seconds East for a distance of 75.75 feet to a 1" crimp top pipe;

THENCE South 84 degrees 25 minutes 17 seconds East for a distance of 199.94 feet to a 1" open top pipe;

THENCE South 03 degrees 04 minutes 45 seconds West for a distance of 74.71 feet to a 1" open top pipe;

THENCE South 06 degrees 14 minutes 13 seconds West for a distance of 168.70 feet to a 1" open top pipe;

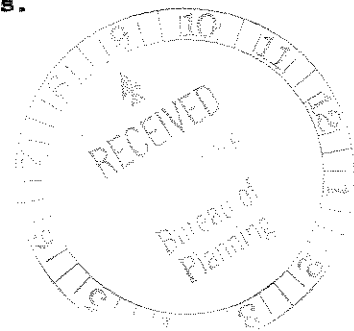
THENCE South 05 degrees 07 minutes 35 seconds West for a distance of 100.21 feet to a 1" open top pipe;

THENCE South 10 degrees 55 minutes 42 seconds West for a distance of 6.04 feet to a 1/2" rebar;

THENCE North 84 degrees 25 minutes 28 seconds West for a distance of 200.23 feet to a 1/2" rebar and The Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 1.61 acres more or less.



U-06-27



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303

404-330-6145 – FAX: 404-658-7491

www.atlantaga.gov/citydir/dpcd/planning.htm

SHIRLEY FRANKLIN
MAYOR

Steve Cover
Commissioner

Alice Wakefield
Director
Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator

SUBJECT: U-06-27 for 1150 Philadelphia Street, S.W.

DATE: February 1, 2007 (*deferred December 2006*)

The applicant seeks a special use permit for the construction of a new Church.

This case was deferred from the December ZRB hearing to give the applicant more time to make necessary changes to this proposal. Since that time, the applicant has amended the site plan in coordination with staff.

FINDINGS OF FACT:

- property location: The property is located in the Cascade Road neighborhood of NPU-S.
- property size and physical features: The subject property is a 1.61 acre rectangular shaped tract that lies at the northeast corner of Philadelphia Avenue and Jackson Place which is unimproved. The site is developed with a church that faces Philadelphia and has heavy mature vegetation located in the rear portions of the lot. There is a small shed, an existing house and an additional structure located on the property. The tract was formerly three separate parcels of land that has been recently consolidated into one. There is a large cemetery located to the east behind the church.
- current/past use of property: The subject property is developed with a church
- surrounding zoning/land uses: The area to the north and east are zoned R-4 with the area to the immediate south designated as a small commercial node. The area to the immediate northwest is zoned for multifamily.
- transportation system: Edgewood Avenue is a major arterial while Hilliard Street is a neighborhood collector. The area is served by MARTA bus routes.

PROPOSAL:

The applicant proposes to construct a 6,500 square foot church at the same location of the existing church.. The new church will consist of a 250 seat sanctuary and several offices, a drop off area along Philadelphia Street, and parking along Philadelphia and Jackson and in the rear of the proposed facility. The applicant does not propose to meet the required number of parking spaces and plans to seek approval of a reduction in parking from the Board of Zoning Adjustments.

- **Ingress and egress:** The primary egress/ingress to the site will be provided by a driveway that gives access off of Philadelphia Street.
- **Parking and loading:** There will be parking located to the south and rear of the church that will accommodate 72 spaces.
- **Refuse and service areas:** The applicant will utilize the City of Atlanta services for refuse.
- **Buffering and screening:** There is an existing cemetery that buffers the lot from the east and there is a proposal to provide buffering to the north.
- **Hours and manner of operation:** There will be church services on Sundays from 8am to 2pm. There will be evening prayer services on Wednesdays from 6pm to 9pm.
- **Compatibility with policies related to tree preservation:** The applicant proposes to comply with all regulations governed by the tree ordinance
- **Duration:** The duration will be perpetual.
- **Required yards and open space:** The applicant proposes to provide parking in the front yard setback along Philadelphia Street and along the half-depth side yard setback along Jackson Place which would require the approval of a special exception from the Board of Zoning Adjustments.

CONCLUSIONS:

- a) **Ingress and egress:** The site plan provides adequate ingress/egress in and out of the property. The proposed drop off area in front of the church provides safe delivery of the members of the church.
- b) **Off-street parking and loading:** A proposal of this magnitude would require a total of 75 parking spaces. The applicant only proposes 72 which would require the approval of a parking reduction from the Board of Zoning Adjustments.

- c) **Refuse and service areas:** The applicant proposes to utilize City of Atlanta services for the disposal of garbage and refuse.
- d) **Buffering and screening:** The property will be screened to the north and the area to the east is bordered by a cemetery.
- e) **Hours and manner of operation:** The proposed hours and manner of operation are adequate for the facilitation of this proposal.
- f) **Duration:** A perpetual permit for this facility is suitable.
- g) **Compatibility with policies related to tree preservation:** As indicated above, the applicant proposes to comply with all regulations governed by the tree ordinance

STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. Site plan similar to the site plan submitted to the Bureau of Planning on 1/10/07 titled "Philadelphia Baptist Church" dated 5/22/06.

cc: Steve Cover, Commissioner, DPCD
Alice Wakefield, Director, Bureau of Planning